

## **(I) BACKGROUND INFORMATION: CONSUMER PROTECTION UNITS**

There are two units that enforce the provisions of the Colorado Consumer Protection Act (“CCPA”) (Colo. Rev. Stat. §§ 6-1-101, *et seq.*). The Consumer Fraud Unit handles traditional consumer protection matters such as false advertising, Internet marketing scams and charitable fraud cases.

The Antitrust, Tobacco and Consumer Protection Unit handles the Colorado Antitrust Act (“Antitrust Act”) (Colo. Rev. Stat. §§ 6-4-101, *et seq.*), several specialized consumer protection statutes, such as the No-Call List Act (Colo. Rev. Stat. §§ 6-1-901, *et seq.*) and all of the consumer protection laws designed to address mortgage fraud and foreclosure rescue schemes. *See, e.g.,* Colo. Rev. Stat. § 12-61-904.5, 12-61-911 and § 38-40-105 (governing mortgage loan originator conduct), Colo. Rev. Stat. § 6-1-717, (governing appraisal fraud) and Colo. Rev. Stat. § 6-1-1100, *et seq.*, (Colorado Foreclosure Protection Act). This unit also enforces the Tobacco Master Settlement Agreement and related tobacco laws (Colo. Rev. Stat. §§ 39-28-201, *et seq.* – Tobacco Escrow Funds Act; and Colo. Rev. Stat. §§ 39-28-301, *et seq.* – Certified Brands Directory Act). Below is a description of how these units handle their enforcement efforts under their statutory provisions.

### **Consumer Fraud**

Consumer fraud investigations and prosecutions are handled by a variety of attorneys, investigators, and support staff through both Units. While most cases are brought under the Colorado Consumer Protection Act, these Units also bring cases under the Charitable Solicitations Act and the Motor Vehicle Repair Act. In addition to purely local cases, attorneys and staff periodically participate in national or multi-state enforcement activities with their counterparts in the Attorney General Offices of other states and with the Federal Trade Commission.

### **Antitrust**

The Attorney General’s antitrust enforcement efforts are directed at protecting consumers and legitimate competitors from a whole range of anticompetitive conduct, including price fixing, conspiracies to suppress competition and mergers that will unreasonably restrain fair competition. The Attorney General has exclusive jurisdiction to enforce the civil and criminal provisions of the Colorado Antitrust Act. The Attorney General also

participates in merger reviews in conjunction with the FTC where the industry at issue implicates statewide interests of concern in Colorado.

The Antitrust, Tobacco and Consumer Protection Unit has one full-time lawyer who enforces the Colorado Antitrust Act and the federal antitrust laws. This lawyer is also responsible for enforcement of the no-call laws, discussed below. This position is funded from the general fund.

### **Tobacco Settlement Enforcement**

Since the State's settlement of the tobacco litigation against the major domestic tobacco companies in 1998, this unit has monitored compliance with the numerous injunctive terms and payment obligations under the Master Settlement Agreement ("MSA") and the Smokeless Tobacco Master Settlement Agreement ("STMSA"). Under these agreements the companies have agreed to a host of marketing restrictions, including a prohibition on youth marketing. Also under these agreements, the companies pay anywhere from \$80.0 - \$100.0 Million to the general fund of the State of Colorado each year. The fluctuations in payments depend on various complex adjustments provided for under the MSA which relate to sales volume by the participating companies and market share loss to manufacturers that are not part of the MSA (so called, "nonparticipating manufacturers" or "NPMs").

This unit monitors compliance with the settlement and ensures Colorado's interests are protected in the MSA's payment calculations. This unit also enforces statutes that require NPMs to pay an escrow on their sales that approximates what they would owe under the settlement. The Colorado Department of Revenue (DOR) also has enforcement responsibilities with regard to these escrow requirements, and this unit works closely with DOR on this enforcement. The Antitrust, Tobacco and Consumer Protection Unit has one full-time lawyer who is funded out the tobacco settlement funds to handle these functions.

The “diligent enforcement” arbitration proceedings provided for under the MSA has occupied a significant amount of time for this unit since 2006. Through this arbitration, the tobacco companies can challenge the State’s enforcement of the NPM escrow obligations. If it is determined through this arbitration that our enforcement was not diligent, the payment Colorado receives under the settlement can be reduced significantly. After nearly seven years of litigation, Colorado recently received a determination that it diligently enforced the tobacco escrow laws against NPMs. This determination, however, only applies to enforcement undertaken in 2003. While this favorable resolution will likely influence arbitrations for years 2004 – 2012, these proceedings still need to be undertaken to determine the diligence of our enforcement efforts during these years. Work on the arbitrations for these latter years continues and will continue in FY 14-15.

### **No-Call Enforcement**

The No-Call List Act was enacted in 2002. Since that time over 3.4 Million residential phone numbers have been registered on the no-call list. The no-call list and other procedural aspects of the no-call program are administered by the Public Utilities Commission (“PUC”). However, enforcement of violations are handled by one investigator and one lawyer within the Antitrust, Tobacco and Consumer Protection Unit. The lawyer splits his time between this work and antitrust enforcement. The investigator position is funded in part through the fees generated by telemarketers who buy the no-call lists each quarter. The attorney position is funded through general funds.

The Attorney General investigates complaints that are reported to the PUC of suspected no-call violations. These investigations involve some detailed work to ensure that the jurisdictional elements of the No-Call List Act are satisfied. They also involve extensive investigation to identify the suspects or telemarketers involved in the violation. As discussed below, these investigations are labor intensive because violators use calling technologies that make it difficult to trace the calls back to them.

## **Mortgage Fraud and Foreclosure Prevention**

To address the rise in mortgage fraud and foreclosure rescue fraud, the General Assembly passed the Foreclosure Protection Act in 2006 and four mortgage fraud bills in 2007. Also, as part of the 2007 mortgage fraud bills the Antitrust, Tobacco and Consumer Protection Unit was staffed with one lawyer FTE and two investigator FTEs to enforce these new laws and the Foreclosure Protection Act. These three new positions are funded through the licensing fees that are paid by mortgage originators to get licensed with the Division of Real Estate's Mortgage Loan Originator Program.

During FY 12-13, significant resources have been devoted to implementing and monitoring the historic \$25.0 billion settlement with the five major mortgage servicing companies, Bank of America, Wells Fargo, JP Morgan Chase, Citibank and Ally/GMAC ("the National Mortgage Settlement"). This settlement resolved several state and federal claims related to the banks' foreclosure and loan servicing practices. It was the largest settlement reached in a joint federal - state investigation. The federal agencies participating in this settlement were the U.S. Department of Justice, the U.S. Department of Housing and Urban Development, the Consumer Protection Financial Bureau and the U.S. Department of Treasury. Forty-nine state Attorneys General and state banking departments participated in this settlement.

As a result of this settlement the servicing companies agreed to provide at least \$20.0 billion in loan relief to homeowners who are struggling to pay their mortgages. This loan relief can come in the form of reducing the principal balance of the loan in conjunction with a loan modification that will allow a borrower to have an affordable monthly payment. It can also come in the form of refinancing a borrower who is current on the loan, but who has been unable to take advantage of the historically low interest rates during FY 12-13. Credit can also be earned for granting relief that avoids a foreclosure and gets the home back on the market, such as a short sale. The banks also agreed to a detailed 42-page injunction and monitoring plan which regulates the way they conduct foreclosures and handle loan modification requests. One lawyer from this unit serves on the monitoring committee for this nationwide settlement. This activity consumes a significant amount of time and it is expected that this will continue to be the case through FY 14-15 when the settlement expires.

In addition to this relief, \$51.17 Million in custodial funds were paid to Colorado under the National Mortgage Settlement to help prevent

foreclosures and stabilize the housing market. During FY 11-12 this office worked with the Governor's Office, the Division of Housing, the leadership in both the state House and Senate and the housing community to devise a plan to spend this money in a way that will prevent foreclosures and stabilize housing. After holding public hearings and soliciting comments from numerous interested stakeholders this office announced the following funding for existing and new foreclosure prevention and housing stabilization programs:

- ▶ \$24.0 Million for supplemental loan mod programs
- ▶ \$18.196 Million for affordable housing programs
- ▶ \$5.625 Million for housing counseling support over three years
- ▶ \$1.5 Million for Colorado Legal Services over three years
- ▶ \$1.1 Million to the Colorado Foreclosure Hotline for an additional three years of operation and funding for marketing and outreach to distressed homeowners
- ▶ \$750,000 for Colorado Attorney General's Office enforcement and monitoring support

The funding for these programs will continue for three years through FY 14-15. As a result of this settlement this unit has added two contract lawyers, both of whom are funded through the custodial funds recovered in National Mortgage Settlement. One of these lawyers has primary responsibility for monitoring the programs that have been established with the custodial funds. This position will continue through FY 14-15.

The other lawyer works directly with consumers facing foreclosure in an effort to assist them with the loan modification process. This lawyer receives written complaints that these borrowers submit to our office and escalates them to executive level contacts that our office has established with the servicing companies. Each of these complaints is reviewed at the highest levels of the major mortgage servicers. This escalation process afforded these particular homeowners an independent review of their request for assistance. Sometimes as a result of this review, the homeowner obtains relief that they otherwise would not have gotten had they not filed a complaint with our office.

During FY12-13 this unit also continued its mortgage fraud enforcement efforts. Two major enforcement efforts occupied the unit's remaining resources during FY 12-13 and will continue to do so through FY 14-15. First, our office along with DOJ and 17 other state Attorney General Offices have

filed consumer protection claims against Standard and Poor's Rating Services, Inc. as a result of its ratings of mortgage-backed securities. *In re: Standard & Poor's Rating Agency Litigation*, Civil Action No. 13-MD-2446 (JMF) (SDNY). This action has been consolidated with 14 other state actions in the Southern District of New York. DOJ and the states brought these actions because of the important role that S&P played in the financial crisis. Its ratings were relied upon by investors and the public to assess the creditworthiness of complex securities, such as mortgage-backed securities. DOJ and the states alleged that its conflicts of interests were allowed to influence its ratings of mortgage-backed securities. These AAA ratings failed to recognize the true creditworthiness of these securities. When the financial crisis started in 2008 these securities were downgraded to junk status. This action is being handled by the mortgage fraud lawyer who is funded from the mortgage fraud funding.

Second, during FY12-13 our office has stepped up the investigation of six law firm and their related companies regarding their foreclosure billing practices. This investigation was commenced in FY11-12. The complexity and number of parties involved has required our unit to add staff. Three lawyers who are funded through the general fund have been assigned to this investigation full-time. In addition, the two mortgage fraud investigators work full-time on this investigation. We have also hired an additional three contract lawyers to assist with this investigation. The contract lawyers are being funded with mortgage fraud custodial funds. We anticipate that this staffing will be necessary through FY14-15 for this investigation.

## **(II) PRIOR YEAR LEGISLATION**

There was no legislation passed last year that will impact our workflow during FY 13-14.

## **III) HOT ISSUES**

The Antitrust, Tobacco and Consumer Protection Unit will have three major focuses during FY14-15:

1. Bring a successful conclusion to the programs established under the settlement to prevent foreclosures and promote housing;
2. Continue to prosecute the Standard & Poor's litigation; and

3. Continue to the investigation into billing practices of Colorado's foreclosure law firms.

## **IV) WORKLOAD MEASURES**

### **Workload Indicators**

As discussed in previous budget submissions, quantifiable workload measures are difficult to formulate for the type of consumer protection work that is done by these two units. It is impossible to predict how long any particular litigation will last, or the extent to which a single case will consume unit resources.

Moreover, quantifiable measures such as consumer complaints filed and population growth have been poor predictors of the consumer protection caseload. For example, no-call complaints continue to decrease each year, yet nearly 3.4 Million phone numbers are registered on the no-call list. However, the advent of new calling technology and more diffused telemarketing strategies have actually increased the investigative burden on the no-call enforcement staff. In a similar vein, homeowners who have been sold risky loans through deceptive trade practices, or lost their homes to fraudulent foreclosure rescue scams seldom file complaints with our office regarding these practices. However, mortgage fraud and foreclosure rescue fraud has accounted for the greatest portion of this unit's work during the past seven fiscal years.

This unit's experience with the foreclosure crisis provides a case-in-point as to why these artificial measures are poor predictors of workload and why they should not be used to set targets or project workload. We have found that our limited resources are best guided by enforcement priorities that respond to current issues that are affecting a large number of consumers, such as the foreclosure crisis. These current issues can arise quickly, such as the robo-signing scandal, which led to the National Mortgage Settlement. Or they can be revealed by a qualitative analysis of complaints. In any event, we have found that being guided by quantifiable indicators such as consumer complaints or population growth are not accurate indicators of workload or the targets that should be pursued.

For these reasons it is difficult to establish benchmarks for enforcement of these laws. In addition, as a prosecutor it would be inappropriate for the Attorney General to set quotas for the number of cases or investigations

commenced. Therefore, the benchmarks set in the reports below are not an indication of actual goals. In some instances no benchmarks are set. Rather strategic objectives will continue to guide these units' enforcement priorities.

## **CORE OBJECTIVES AND PERFORMANCE MEASURES**

### **CONSUMER FRAUD**

*Objective: Identify and prevent deceptive trade practices in marketplaces affecting Colorado consumers and businesses*

Performance Measure	Outcome	FY 12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and either sue or settle with individuals or entities that are engaged in deceptive trade practices	Target	60		70		70		70	
	Actual	55	-25%	27	-51%	70	0%	70	0%

#### *Strategy:*

The strategy of both Units continues to be, as it has in the past, to investigate those companies attracting both the largest number and the most discernable pattern of complaints alleging a deceptive trade practice. The consumer intake unit analyzes complaint volume and patterns and regularly communicates to the attorneys within the unit those businesses attracting the most compelling consumer allegations of deceptive advertising and sales practices. The unit also confers with other law enforcement agencies including the FTC, postal service, FBI, and state district attorney's offices to determine what investigations merit the resources of this unit. When investigations confirm the allegations of deceptive trade practices the unit proceeds with prosecution alternatives ranging from voluntary changes to business practices to Formal Assurances of Discontinuance to Complaints for restitution, fines, attorney fees and injunctive relief.

This figure represents investigations and cases that were worked on during FY 13 under the Colorado Consumer Protection Act and Charitable Fraud Act. This figure represents the following actions:

- 24 investigations opened



- 11 settlements, assurances of discontinuance or stipulated final judgments reached in cases, regardless of when they were opened
- 8 lawsuits filed

*Performance Evaluation:* The number of lawsuits filed and the number of settlements/judgments obtained was consistent with last year but lower than prior years. Significant time and resources are being spent on larger cases and to our increased efforts at enforcing judgments and to collect hidden assets. One attorney spent approximately 40% of his time this past year on a case that resulted in a \$330 million dollar stipulated judgment. Another continues to conduct investigations of large for profit colleges while monitoring former settlements and ensuring that injunctive orders are followed. The large magazine investigation resulted in a judgment of over \$6 million and much time has been spent post judgment on collection including the filing of motions to set aside fraudulent transfers and to seize undisclosed assets. Our charitable fraud attorney obtained a restraining order and a seizure of assets against a nationwide charity.

## ANTITRUST

*Objective: Preserve competition in marketplaces affecting Colorado consumers and businesses by investigating and resolving conduct that is anticompetitive and unreasonably restricts trade in Colorado.*

Performance Measure	Outcome	FY 12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and either sue or settle with individuals or entities that are engaged in anticompetitive conduct such as price fixing, agreeing to restrain trade or entering into mergers that unreasonably restrict competition	Target	8		10	20%	10	--	10	--
	Actual	9	12.5%	12	25%				

### *Strategy:*

The antitrust enforcement strategy is to leverage our limited resources by participating in investigations and cases with the Department of Justice, the Federal Trade Commission and other state Attorney General Offices. Anticompetitive practices with the most profound impact on Colorado residents are usually perpetrated by companies operating on a nationwide basis. With just one antitrust lawyer who also splits his time on enforcement of the no-call laws, this unit can leverage our enforcement efforts by coordinating with other state and federal antitrust enforcement agencies. This strategy allows us to take on those practices that have widespread harm within the state and across the nation. This strategy will continue to be used.

### *Performance Evaluation:*

As a result of this strategy we were able to fulfill our goal of providing protecting for Colorado consumers by leveraging limited resources. The e-books lawsuit provides a good example as to the effectiveness of this strategy. In April 2012 Colorado, along with 32 state Attorney General Offices, filed suit against five publishers and Apple for price fixing on best-selling books that are distributed electronically and read by consumers on tablets or other electronic devices. This is a nationwide practice that Colorado could not handle on its own with just one attorney. This strategy has resulted in \$166.0 million in settlements with five publishers, and resulted in a finding that Apple participated in this price-fixing conspiracy.

The figure reported for FY12-13 reports the number of cases investigated, litigated or brought to resolution through settlement or judgment. They include traditional investigations of anticompetitive conduct, such as price fixing and agreements to restrain competition. They also include reviews of mergers that threatened to reduce competition. These activities are broken down as follows:

- The trial and finding entered against Apple in which the court concluded that Apple conspired with eBook publishers to raise the price of eBooks.
- 3 investigations opened to conduct that may be anticompetitive
- 8 settlements reached, including 5 with the publishing companies that conspired with Apple to raise the price of eBooks. These settlements resulted in \$166.0 million to consumers nationwide.

## TOBACCO

*Objective: Ensure that the Master Settlement Agreement continues to protect consumers and fair competition in the tobacco industry by enforcing the anti-youth marketing and honest advertising requirements contained in this agreement and protecting the payments owed to Colorado under this settlement.*

Performance Measure	Outcome	FY12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Participate in MSA proceedings to ensure that proper payments are made under the settlement to Colorado.	Target	NA		10		12		12	
	Actual	13	30%	12	- 8.5%				

Performance Measure	Outcome	FY 12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Diligently enforce the tobacco laws requiring escrow payments by NPMs and certification of compliant brands by all tobacco manufacturers	Target	NA		NA		85		85	
	Actual	95		85	-10.5%				

### *Strategy:*

The strategy for tobacco enforcement is to protect Colorado's settlement payments under the MSA. This is composed of two main functions. The first is to ensure that Colorado's diligent enforcement efforts are presented in the multistate arbitration that is currently pending with regard to the nonparticipating manufacturer (NPM) adjustment.

The other strategy that this unit employs to protect the MSA payments is to diligently enforce the tobacco escrow and certification laws relating to the MSA. Under these laws, an NPM must make certifications as to its sales in Colorado and pay an escrow equivalent to \$0.029 per cigarette. In addition, all tobacco manufacturers regardless of whether they are NPMs or parties to the MSA must certify the brands that they intend to sell in Colorado. If certified, the brands are published on a certified brands directory. This certification process provides an effective way to ensure compliance with the MSA, and therefore, protect Colorado's payment under the MSA.

*Performance Evaluation:*

In FY 12-13, Colorado participated in the NPM Arbitration hearings and had its own state-specific arbitration. The arbitration panel determined that Colorado was diligent in the enforcement of its tobacco escrow laws against the NPMs and that our office had a "culture of compliance". This positive result is likely to influence the arbitrations in later years. This positive result means that Colorado's payment will not be reduced for the 2003 sales year and bodes well for protection of our payment in later years.

The number reported in table #1 represents participation in proceedings that are conducted under the MSA for the processing of payments. This number has held steady for the last two fiscal years. Most of the work, however, is related to the diligent enforcement proceedings.

With regard to certification review, this unit has met our goal of reviewing each escrow certification and certification made for the certified brands directory in a timely manner. The numbers reported in table #2 represent certifications reviewed and other enforcement efforts to ensure NPM compliance. This number has declined because the number of NPMs selling cigarettes in Colorado has declined over time. The certifications are then published to all retailers and provide them with up to date information about brands that may be sold in Colorado. By timely reviewing these certifications and publishing them to retailers, we are able to deter the sale of unauthorized brands in Colorado. This measure has proven to be an effective way to ensure that only compliant brands are sold in Colorado. This control measure in turn protects the MSA payments to Colorado.

## No-Call

*Objective: Ensure that residential privacy is protected by actively enforcing the Colorado No-Call List Act.*

Performance Measure	Outcome	FY 12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Identify telemarketers who are responsible for the most number of violations and take immediate action to bring them into compliance with the No-Call Act.	Target	22		24	9%	30	25%	30	--
	Actual	19	5%	15	-21%				

### Strategy:

No-call enforcement continues to be a challenge as a result of telemarketers that use calling technologies that conceal their location and telephone numbers. The most common no-call violations are committed by companies that are located in other states and even outside of the country. They telemarket on a nationwide basis. They use auto-dialer devices that do not scrub calling lists against the no-call list. They use calling technologies that conceal the identity of telemarketers and make it difficult to trace the call back to them.

To identify these violators our strategy had been to use traditional investigative techniques to trace these calls back to the telemarketer. This enforcement approach is labor intensive. It requires the issuance of numerous subpoenas to local telecom carriers, Internet service providers and financial institutions to identify the particular telemarketer originating the calls. We have also coordinated information sharing among other state Attorney General Offices and the FTC.

Despite our best efforts, we have been unable to make a meaningful difference in stopping unwanted calls by telemarketers who are located out of state or out of the country and who are using these call-masking techniques. Our office is not alone among law enforcement agencies across the country having this same problem. The FTC held a robo-call summit on October 18, 2012 to discuss this issue. See <http://www.ftc.gov/opa/2012/10/robocalls.shtml>. Our office attended, along with interested telecom stakeholders. The focus of the summit was to identify alternative ways to identify and stop these violators. The FTC even offered a \$50,000 reward to

contestants who submitted creative ideas for stopping these calls. See <http://www.ftc.gov/opa/2012/10/robocalls3.shtm>.

In FY13-14 this office is changing its enforcement strategy. First, we are going to focus on text message complaints. This is a common occurrence and we are working on a system to collect complaints about these violations. We are also participating in a coordinated law enforcement effort to stop cramming of unauthorized charges on wireless bills. Common unauthorized charges generally arise out of free offers for new ring tones or daily horoscope texts. Third, we are going to focus on violators who we can quickly identify. We have adopted a strategy to quickly identify them and then stop their calls. These violators usually operate for a limited time and on a small scale. While these violators account for approximately 10% of our complaints, stopping these telemarketers will at least reduce the number of unwanted calls.

#### *Performance Evaluation:*

Unfortunately the strategy discussed above has not resulted in less unwanted calls. This is a problem common to other law enforcement agencies nationwide. This has caused a shift in our enforcement strategy, as discussed above.

### **MORTGAGE AND FORECLOSURE RESCUE FRAUD**

*Objective: Preserve and stabilize home ownership in Colorado by helping delinquent borrowers save their homes from foreclosure and preventing exploitation of homeowners in foreclosure.*

Performance Measure	Outcome	FY 12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Enforce the mortgage fraud and foreclosure rescue fraud laws in order to protect a borrower from foreclosure or unfair loan terms.	Benchmark	140		140		NA*		NA*	
	Actual	138		15*					

\* This figure represents new investigations, settlements or filings that were initiated or completed under the mortgage fraud and foreclosure relief statutes in FY 12-13. This figure does measure the results of foreclosure prevention programs which are discussed below. It also does not account for the new change in strategy this unit pursued in FY 12-13 and will continue to pursue through FY14-15. It also provides an example of how our enforcement efforts are driven by strategic priorities rather than artificial targets that are based on complaints filed or population trends. As discussed above these factors are poor predictors of the enforcement priorities that this unit serves. Rather we will continue to be strategic in our choice of enforcement objectives. For this reason no benchmarks are provided for FY 13-14 or FY 14-15.

### *Strategy:*

As discussed in last year's budget submission this unit is pursuing a new strategy that is focused on alleviating the foreclosure crisis in Colorado. This new strategy is designed to prevent unnecessary foreclosures. The National Mortgage Settlement has put in place the financial incentives, injunctive terms and state-level funding that has allowed us to pursue this new strategy. Therefore, during FY 12-13 through FY14-15 this unit will focus more on running programs to prevent foreclosure and less on enforcement actions against entities violating the mortgage fraud and foreclosure relief laws. As stated in last year's budget narrative, this unit will employ three strategies to try to avoid foreclosure and the rescue scams that prey on homeowners trying to save their homes.

1. Actively monitoring the National Mortgage Settlement to ensure that relief is provided to homeowners in need. Our office serves on the monitoring committee which is tasked with working with the settlement monitor to ensure that the major mortgage servicers are following the requirements necessary to evaluate a modification request and provide meaningful relief to struggling homeowners.
2. Implement and fund the settlement programs that are designed to help borrowers avoid foreclosure.
3. Continue to devote one full-time staff to escalate complaints to the major mortgage servicers in FY 13-14. As foreclosures continue to decline and the servicing companies improve their systems for assisting delinquent borrowers an assessment will be made as to the need to continue this position in FY 14-15.

### *Performance Evaluation:*

The National Mortgage Settlement and our Colorado-specific programs have helped alleviate the foreclosure crisis and stabilize the housing market during FY12-13. The Colorado Division of Housing [reports](#) that foreclosures are at their lowest point since 2007. In addition, Metro Denver area housing prices have recovered to their pre-financial crisis peak set in July 2006.

<http://www.divisionofhousing.com/2013/08/case-shiller-metro-denver-home-price.html#.UkmlNtznaUI>. The National Mortgage Settlement and Colorado-specific programs have helped contribute to these positive results. Below are the results of the National Mortgage Settlement and related programs during FY 12-13:

1. Loan Relief Granted under the National Mortgage Settlement: The settlement has delivered loan relief in the amount of \$425.0 Million to 7,500 homeowners in Colorado. This relief means that there were 7,500 less foreclosures because of the settlement in FY12-13. This nearly doubles the amount of relief that we estimated at the outset of the settlement. Nationwide over \$51.0 Billion in loan relief has been granted to 643,726 borrowers. Again, this represents a significant number of foreclosures avoided nationwide as a result of this settlement.

2. Affordable Housing Gains: The foreclosure crisis has created an expensive rental market as homeowners leave their homes for rental housing. The Division of Housing also reports that vacancy rates are at historical lows and that rental rates are at an all time high. [http://www.divisionofhousing.com/search/label/vacancy%20surveys#.UkdC\\_9znaUk](http://www.divisionofhousing.com/search/label/vacancy%20surveys#.UkdC_9znaUk). As a result of this situation, the Attorney General provided just over \$13.1 million to the Colorado Division of Housing to offer funding that would stimulate the construction of more affordable rental housing. As a result of this funding 900 affordable housing units have been preserved or created in Denver, Loveland and Ft. Collins. An additional \$5.0 Million has been provided to repurpose Ft. Lyon as a residential treatment and housing facility for homeless veterans. As a result of this funding, the Division of Housing has been able to retrofit Ft. Lyon. Residents started to be admitted in September 2013, just in time to provide some help with those displaced by the flooding. It is anticipated that up to 300 homeless veterans will be housed at Ft. Lyon and receive treatment there.
3. Supplemental Loan Programs: The Attorney General established two loan funds with \$24.0 million to provide relief to homeowners who don't qualify for relief under the National Mortgage Settlement. Both of these loan programs got up and running in late 2012 and early 2013. We are still working with the major servicers to get them to recognize these assistance programs. But so far with limited participation of the servicers these programs have provided assistance to 27 homeowners. We will work with the major servicers to get them onboard with these programs throughout FY 13-14.
4. Housing Counseling Support: The Attorney General committed just over \$5.6 million to increase the availability of housing counseling throughout Colorado. These housing counselors are HUD approved nonprofit counselors who charge nothing for their services and can provide expert advice to homeowners. Four out of five homeowners who contact a counselor are able to save their home or work out an arrangement that avoids a foreclosure. This free service is the best way for struggling homeowners to get assistance. It also provides an alternative to the loan mod and foreclosure relief scams that prey on vulnerable homeowners.

As a result of this funding, 18 housing counseling agencies have been able to expand their services to homeowners across the state. In particular five agencies have received rural expansion funding which has resulted in coverage of areas that had limited service or had previously not been served, including the counties of Archuleta, Garfield, Delta, Montrose, Moffat, Rio Blanco, Crowley, Otero, Bent, Teller, Chaffee, Lake and Gunnison. Overall 182 households have received counseling as a result of this increased funding.
5. Colorado Foreclosure Hotline: The Colorado Foreclosure Hotline is a service that was founded in 2006 in response to the foreclosure crisis. Homeowners who are in need of assistance call the hotline and are connected with a nonprofit, HUD approved housing counselor. Of the additional \$1.1 Million provided to the hotline, \$600,000 is for continued operation of the hotline through FY 14-15. The other \$500,000 is used to increase marketing of the hotline. As a result of this extra funding the hotline undertook two significant marketing initiatives in FY 12-13 and promoted grassroots awareness in areas hit hardest by the foreclosure crisis. This extra funding increased call volume, which translated directly into free



help for homeowners struggling with their mortgages.

6. Colorado Legal Services: In FY 12-13 Colorado received the first of three \$500,000 grants to support servicers for homeowners who are in foreclosure or in default on their loans. As a result of this funding CLS has been able to expand legal aid services to homeowners across the state. CLS added lawyers in Denver, Grand Junction, Ft. Collins, Greeley, Pueblo and Colorado Springs to provide free legal services to clients who qualified for representation. In FY 12-13 CLS also launched a statewide tollfree assistance line and provided representation to 318 clients.
7. Attorney General Escalation Program: The \$750,000 retained by the Attorney General's Office has allowed us to hire a full time lawyer to review mortgage fraud complaints and determine which ones to escalate to the servicing companies. In FY 12-13 1,745 complaints have been filed and 626 were escalated to the servicing companies.



## **D) BACKGROUND INFORMATION: CONSUMER CREDIT UNIT**

This Unit enforces seven state laws relating to consumer credit and debt collections. As of July 1, 2013, it has a combined FTE total of 20 consisting of 4 attorney positions and 16 classified staff positions.

### **Consumer Credit:**

The Consumer Credit unit enforces the Colorado Uniform Consumer Credit Code (UCCC) (consumer lending); Uniform Debt Management Services Act (credit counseling and debt settlement); Credit Services Organization Act (credit repair), Rental Purchase Agreement Act (rent-to-own), and Refund Anticipation Loans Act.

**UCCC:** The UCCC protects the rights of consumers who borrow money, establishes reasonable limits on interest rates and fees, fosters fair competition among lenders, and promotes an adequate supply of credit. The UCCC, title 5 of the Colorado Revised Statutes, includes articles establishing the Colorado Consumer Equity Protection Act (restricting certain terms in high-cost loans), Deferred Deposit Loan Act (payday loans), and the Refund Anticipation Loans Act and Rental Purchase Agreement Act, both described below. The unit licenses and examines lenders who make high-rate loans – defined as loans with an annual percentage rate of more than 12%, including deferred deposit or “payday” lenders – and as of January 1, 2010 may examine retailers that extend credit and sales finance companies that collect credit contracts. These retailers must file an annual notification form. There is an advisory board – the Council of Advisors on Consumer Credit. The UCCC contains a licensing exemption for residential first mortgage acquisition and refinance loans.

**Debt Management:** Debt management companies act as an intermediary between an individual and creditors to obtain concessions such as reduction of interest, waiver of fees, etc. The law regulates both traditional credit counseling companies that distribute periodic payments to creditors, and debt settlement companies that attempt to negotiate with creditors to settle a debt for a lesser amount. Companies that enter into contracts with Colorado consumers are subject to strict regulation including registration, bonding, insurance requirements, fee limitations, and contract and disclosure requirements. The unit conducts compliance examinations and investigates complaints.

**Credit Repair and Rent-To-Own:** Companies that engage in credit repair contract with consumers to remove old and inaccurate information from credit reports. The law requires written contracts and disclosures and prohibits advance fees. There are no licensing, registration, or compliance examination requirements. The unit investigates complaints. Complaints typically increase during economic downturns. The Rental Purchase Agreement Act regulates rent-to-own companies who lease goods to consumers with impaired credit. Payments are due weekly or monthly. The consumer may continue to make payments and eventually own the items or stop payments and return the items at any time. Fees and costs are higher than retail sales. There is no licensing or registration. The unit investigates complaints and may conduct compliance examinations.

**Refund Anticipation Loans:** The RAL Act requires companies that facilitate short-term tax refund anticipation loans to make written and oral disclosures, including that the products are loans, the fee schedule, sample loan fees and interest rates, and other tax filing alternatives for quick refunds without incurring fees.

## **Debt Collection:**

**Colorado Fair Debt Collection Practices Act:** This unit enforces the Colorado Fair Debt Collection Practices Act (CFDCPA) – the state’s law on consumer debt collection. The law protects businesses that place accounts for collection and protects consumers contacted by collection agencies. This ensures that all collection agencies act in compliance with the law and there is no unfair competition. The unit licenses collection agencies, investigates complaints of unlawful activity, and takes administrative discipline against collection agencies that violate the law. There is no statutory authority to conduct compliance examinations without cause to believe a violation of the law has occurred. There is an advisory board with members appointed by the governor.

**Colorado Child Support Collection Consumer Protection Act:** This law specifically governs collection of child support by private collection agencies contracting with custodial parents (not governmental agencies). In addition to incorporating most of the CFDCPA’s provisions, including licensing, the law provides additional protections applicable to child support collection.

## **II) PRIOR YEAR LEGISLATION**

SB 13-262 amended the Debt-Management Services Act to exempt certain representative services of enrolled agents from the definition of “debt-management services” such as services provided for tax purposes before the Internal Revenue Service.

SB 13-248 amended the Consumer Protection Act, the UCCC, the Colorado Fair Debt Collection Practices Act, and the Colorado Credit Services Organization Act to clarify the authority of the Attorney General or a district attorney to enforce subpoenas for consumer protection violations against individuals located outside Colorado.

## **III) HOT ISSUES:**

### **Consumer Credit:**

- The economic situation continues to impact the consumer credit area. Compliance examinations and consumer complaints have been focused on delinquency, defaults, repossessions, debt purchasing, debt settlement, and collection practices. The number of licensed lenders is expected to be flat or decrease slightly as lenders reduce the number of direct loans made to subprime borrowers.

- Since January 1, 2010 when unit staff began to examine creditors and sales finance companies that file notification on a regular basis, compliance examinations have taken more time. This is the first compliance exam for many companies, they appear to be unfamiliar with detailed compliance and the examination process, and records are not in good order resulting in larger refunds and slower examinations.
- Enforcement of the Debt Management Services Act continues to take substantial resources. The law is detailed and compliance examinations reveal compliance problems. More importantly, many companies ignore the law or test its exemptions. More than half of the unit's pending litigation involves DMSA cases.
- Significant unit resources have been focused on legal action and investigations involving unlicensed internet payday lenders and claims that loans are made by arms of Native American Indian tribes asserting tribal sovereign immunity.
- The federal Consumer Financial Protection Bureau has been in operation since June 21, 2011 and has federal supervision and regulatory authority to enforce federal law over many of the same non-depository financial industries that the unit regulates – specifically payday loans, private student loans, and some mortgage loans. It will also have supervisory authority over larger market participants (to be defined) in other credit areas and enforcement authority over all consumer credit products. The unit expects to be involved in joint enforcement efforts with the Bureau in the future and already has engaged in simultaneous exams of deferred deposit lenders.

### **Debt Collection:**

- The negative economic environment has also impacted collection agencies. Accounts assigned for collection increased and so have license numbers. This has resulted in the filing of more collection lawsuits and has resulted in larger numbers of consumer complaints. There has been an increase in the number and complexity of licensing and regulatory compliance issues triggered by mergers and acquisitions.
- The unit continues to monitor and investigate the nationwide problems with the collection of old debt, e.g. collecting on cases beyond the statute of limitations and inadequate proof of debt problems.
- The unit is currently involved in investigations of collection agencies that purchase and collect large portfolios of defaulted consumer debt from banks or credit card companies. The issues in these cases is the use of “robo-signed” affidavits to validate the debt and attempt to collect on the debt from the consumer and/or for filing in default judgments against consumers.

- With the unit now licensing as many collection agencies as supervised lenders, and receiving twice the number of consumer complaints about debt collection as consumer lending, the unit is considering amending the CFDCPA to allow periodic compliance examinations of collection agencies instead of investigating only on a complaint basis.

#### **IV) WORKLOAD MEASURE:**

##### **WORKLOAD INDICATORS**

<b>Consumer Credit</b>					
Workload Measure	Unit	FY12 Actual	FY13 Actual	FY 14 Estimate	FY15
New Licenses Issued (UCCC)	Number	140	95	110	120
License Total on June 30 (UCCC)	Number	745	735	725	725
Notifications Filed (Credit Sales, Sales Finance, Rent-to-Own)	Number	1,433	1379	1,400	1,500
New Registrations Issued (Debt Management)	Number	4	4	5	5
Registration Total on June 30 (Debt Management)	Number	49	48	50	50
Written Complaints Received (UCCC, CSOA, CROA)	Number	473	378	500	500
Written Complaints Received (Debt Management)	Number	31	40	75	80
Compliance Examinations (UCCC)	Number	386	296	400	400

<b>Debt Collection</b>					
Workload Measure	Unit	FY 12 Actual	FY 13 Actual	FY 14 Estimate	FY15
New Licenses Issued	Number	122	126	120	135
License Total on June 30	Number	786	805	825	840
Written Complaints Received	Number	964	1035	1,070	1100

## CORE OBJECTIVES AND PERFORMANCE MEASURES

### CONSUMER CREDIT

*Objective:* Ensure compliance with consumer credit laws.

Performance Measure	Outcome	FY 12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Open investigations and file, defend, or settle cases	Target	200		200		130		130	
	Actual	131		126					

*Strategy:* Enforcement actions and investigations come from consumer complaints, information from competitors, from staff detection of violations during compliance examinations, and publicly available advertising and information on the Internet. These actions are very important in the debt management area as it is a relatively new law. In addition, in the consumer lending and credit area, consumers often are unaware of whether particular fees are legal or if loan payments have been correctly applied.

*Evaluation of Prior Year Performance:* Cases and investigations have decreased only slightly largely due to the substantial time required on a few large court cases that have required significant attorney and staff time and resources.

*Key Workload Indicators:* Because most cases and investigations arise from consumer complaints, compliance examinations, and searching the Internet, it is difficult to predict these numbers. In addition, changes in the debt management and payday lending laws will, at best, take some time for the industry to reach compliance. There will be some companies that do not comply with statutory changes or never intend to, such as certain online companies. Finally, the relatively new compliance examination programs in many of the consumer credit areas will result in some legal cases and challenges. These numbers cannot be predicted.

Performance Measure	Outcome	FY 12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Require consumer refunds	Benchmark	\$2,200,000		\$3,000,000		\$3,000,000		\$3,000,000	
	Actual	\$5,287,437		\$1,170,574					



*Strategy:* Refunds result from overcharges and illegal charges discovered from compliance examinations, consumer complaints, searching the Internet, and from litigation. Refunds may include credits to existing balances on open accounts.

*Evaluation of Prior Year Performance:* Consumer refund total amounts were consistent with previous years prior to the institution of the exam authority of retail sales finance. Additionally, the examinations are resulting in more compliance with the statutes.

*Key Workload Indicators:* Refund totals are dependent on industry compliance with state law. It generally takes several years for compliance to improve after new laws are adopted or an industry is first subject to regulation or examination.

*Objective:* Ensure efficient operations to benefit creditors and consumers.

### Uniform Consumer Credit Code, Credit Repair, Rent-to-Own

Performance Measure	Outcome	FY12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve complaints within 60 days or less	Benchmark	50		50		50		55	
	Actual	41		40					
Performance Measure	Outcome	FY12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve 80% of complaints received during FY	Benchmark	80%		80%		80%		80%	
	Actual	78%		78%					

## Debt Management

Performance Measure	Outcome	FY 12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		<u>Incidents</u>	<u>Change</u>	<u>Incidents</u>	<u>Change</u>	<u>Incidents</u>	<u>Change</u>	<u>Incidents</u>	<u>Change</u>
Investigate and resolve complaints within 60 days or less	Benchmark	50		50		60		60	
	Actual	16		27					
Performance Measure	Outcome	FY 12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		<u>Incidents</u>	<u>Change</u>	<u>Incidents</u>	<u>Change</u>	<u>Incidents</u>	<u>Change</u>	<u>Incidents</u>	<u>Change</u>
Investigate and resolve 80% of complaints received during FY	Benchmark	80%		80%		65%		65%	
	Actual	45%		57%					

*Strategy:* The Unit's goal was to resolve 80% of consumer complaints received in the fiscal year within an average of 60 days or less. The complaint resolution process includes complaint intake to determine jurisdiction, locating the business, obtaining a response and often additional information, business requests for extensions of time, and staff time to investigate and determine what action to take.

*Evaluation of Prior Year Performance:* Debt management closure time increased as well as the percent of closed complaints. The unit's staff has done an excellent job in handling the increase in complaints in addition to the significant time spent on the examination process of registrants especially in light of the amount of litigation the unit is involved in this area.

*Key Workload Indicators:* Completion time depends on the number and complexity of consumer complaints, whether the business complies with state law, and other workload demands. Complaint numbers usually increase during economic downturns with increased delinquencies, defaults, repossessions, foreclosures, and offers to reduce debt or remove bad credit. In addition, complaints against unlicensed lenders, particularly Internet payday lenders, often increase. These lenders generally refuse to comply with state law, do not respond, and challenge our jurisdiction, requiring legal action. This substantially delays complaint resolution.

## **TITLE – DEBT COLLECTION**

*Objective:* Ensure compliance with laws regulating collection agencies.

Performance Measure	Outcome	FY12 Actual		FY 13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Incidents	Incidents	Change	Incidents	Change	Incidents	Change
Open investigations and file, defend, or settle cases	Benchmark	50		70		70		70	
	Actual	81		73					

*Strategy:* Enforcement actions and investigations come from consumer or collection agency client complaints, information from competitors, and from staff detection of violations in license renewal applications. Because the statute does not provide for periodic compliance examinations, complaints are the primary method to ensure compliance.

*Evaluation of Prior Year Performance:* The number of enforcement actions during FY 13 decreased; however, it is not an indication of a future downward trend since the number of enforcement actions in FY 13 were still significantly higher compared to the fiscal years prior to 2012. Despite the fewer numbers of enforcement actions those actions resulted in total fines of \$558,142.00 compared to \$416,820.00 in FY 12.

*Key Workload Indicators:* The unit is and will to continue to be involved in the investigations of collection agencies that purchase and collect large portfolios of defaulted consumer debts from banks or credit card companies that are relying on robo-signed affidavits as proof of debt. The scope of these investigations may expand as other debt purchaser engaged in similar debt collection practices are brought to light and will involve utilization of more of the investigator's time and unit's resources as they progress to filing of cases.

Performance Measure	Outcome	FY 12 Actual		FY13 Actual		FY 14 Estimate		FY 15 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Issue cease and desist notices to unlicensed collection agencies	Benchmark	65		70		70		70	
	Actual	71		87		67			

*Strategy:* Cease and desist advisory notices are issued based on information provided by consumers, competitors, and review of lawsuits filed in Colorado courts. Unlicensed

collection agencies are generally offered an opportunity to become licensed if they cease collections and pay a penalty for prior unlicensed collections.

*Evaluation of Prior Year Performance:* This number is generally consistent with past years.

*Key Workload Indicators:* These numbers are typically consistent over the years. Colorado's licensing requirements are clear and readily accessible to collection agencies.

*Objective:* Ensure efficient operations to benefit collection agencies and protection of consumers.

Performance Measure	Outcome	FY 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve complaints within 60 days or less	Benchmark	60		60		60		65	
	Actual	44		56		45			
Performance Measure	Outcome	FY 11 Actual		FY 12 Actual		FY 13 Estimate		FY 14 Request	
		Incidents	Change	Incidents	Change	Incidents	Change	Incidents	Change
Investigate and resolve 80% of complaints received during FY	Benchmark	80%		80%		80%		75%	
	Actual	80%		91%		90%			

*Strategy:* The Unit's goals is to resolve consumer complaints within an average of 60 days or less and resolve 80% of written complaints received during a fiscal year. These goals are based on receipt of 1,000 or fewer written complaints. The complaint resolution process includes complaint intake to determine jurisdiction, locating the collection agency, obtaining a response and often additional information, collection agency requests for extensions of time, and staff time to investigate and determine what action to take.

*Evaluation of Prior Year Performance:* The Unit's performance was good, and resolution time has slightly decreased despite the increase in consumer complaints.

*Key Workload Indicators:* Resolution time depends on the number and complexity of consumer complaints, whether complaints reveal violations of the law, whether violations can be resolved informally or require administrative or legal action, and whether staff time must be devoted to other activities such as litigation.

## SCHEDULE 2 - PROGRAM SUMMARY

### Department of Law

### CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 12		Actual FY 13		Approp FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>CONS. PROTECT. &amp; ANTI-TRUST</b>	1,986,411	19.3	2,457,316	23.6	2,046,520	25.0	2,773,217	25.0	2,338,168	26.0
General Fund	1,035,387		1,082,843		931,023		1,303,590		1,106,670	
General Fund Exempt	-		-		-		-		-	
Cash Fund	684,466		1,107,469		874,016		1,162,856		970,919	
Reappropriated Funds	266,558		267,004		241,481		306,771		260,579	
Federal Funds										

### SCHEDULE 3 - PERSONAL SERVICES PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 12		Actual FY 13		Approp FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>I. POSITION DETAIL</b>										
Deputy Attorney General	124,728	1.0	124,728	1.0			143,436	1.0	143,436	1.0
First Assistant Attorney General	200,097	2.0	209,925	2.0			255,048	2.0	255,048	2.0
Senior Assistant Attorney General	32,936	0.4	67,863	0.7			108,888	1.0	108,888	1.0
Assistant Attorney General	453,612	6.3	460,145	6.0			706,692	8.0	706,692	8.0
Compl Investigator I	6,534	0.1	55,597	1.0			58,320	1.0	58,320	1.0
Criminal Investigator II	148,824	2.0	64,800	1.0			216,492	3.0	216,492	3.0
Criminal Investigator I										
Compl Investigator II	64,800	1.0	182,154	2.6			67,488	1.0	67,488	1.0
Legal Assistant II	87,234	1.5	204,965	3.5			189,588	3.0	189,588	3.0
Admin Asst II	40,020	1.0	71,370	1.8			82,152	2.0	82,152	2.0
General Professional IV	64,498	0.9	96,132	1.3			69,972	1.0	69,972	1.0
General Professional III	61,080	1.0	43,386	0.7						
General Professional II									-	0.0
Program Assistant II	52,176	1.0	52,176	1.0			53,808	1.0	53,808	1.0
Program Assistant I	49,176	1.0	49,176	1.0			50,160	1.0	50,160	1.0
<b>TOTAL POSITION DETAIL</b>	1,385,714	19.3	1,682,417	23.6			2,002,044	25.0	2,002,044	25.0

### SCHEDULE 3 - PROGRAM DETAIL

Department of Law						CONSUMER PROTECTION & ANTI-TRUST				
Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>(I.A.) CONTINUATION FTE SALARY COST</b>	1,407,103	19.7	1,682,417	23.6			2,002,044	25.0	2,002,044	25.0
(Permanent FTE by position)										
Continuation Salary Subtotal										
<b>(I.B.) OTHER PERSONAL SERVICES</b>										
PERA on Continuation Subtotal	111,642		168,402				203,207		203,207	
Medicare on Continuation Subtotal	19,830		23,658				29,030		29,030	
Non-Base building Performance Awards							-		-	
Part-Time/Temporary Salaries	90,270		16,929				-		-	
Contractual Services	43,955		24,069				25,400		25,400	
Overtime Pay	90		2,143							
Sick Leave Conversion										
Termination/Retirement Payouts	97		10,434							
Employment Security Payments	2,102		1,398							
Furlough Days	0		-							
Other Employee Benefits	6971		5,744				2,500		2,500	
Vacancy Savings							(75,062)		(120,113)	
<b>SUBTOTAL</b>	163,948		252,777				185,075		140,024	
<b>(I.C.) PERSONAL SERVICE</b>										
<b>SUBTOTAL= A+B</b>	1,549,662	19.3	1,935,194	23.6			2,187,119	25.0	2,142,068	25.0
<b>(I.D.) POTS EXPENDITURES</b>										
Health/Life/Dental	117,478		161,313				180,078			
Salary Act/Merit							-			
One Time Performance Awards							1,697			
Short Term Disability	2,449		2,900				3,804			
SB 04.257 A.E.D.	37,833		51,133				72,074			
SB 06.235 S.A.E.D.	30,384		43,988				65,066			
Other										
[ ] Indicates a Non-add										
<b>(I.E.) BASE PERSONAL SERVICES</b>	1,737,806	19.3	2,194,528	23.6			2,444,772	25.0	2,142,068	25.0
<b>TOTAL = C+D</b>										
General Fund							1,167,658		1,039,190	
General Funds Exempt										
Cash Funds							1,016,889		862,801	
Reappropriated Funds							260,225		240,077	
<b>(I.F.) DIFFERENCE= II-I.E.</b>							-		53,943	
<b>(I.G.) Decision Item: Consumer Intake FTE</b>									53,943	1.0
General Fund										
Cash Funds									53,943	1.0
Reappropriated Funds										

### SCHEDULE 3 - PROGRAM DETAIL

Department of Law						CONSUMER PROTECTION & ANTI-TRUST				
Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>II. PERSONAL SERVICES REQUEST TOTAL</b>	<b>1,737,806</b>	<b>19.3</b>	<b>2,194,528</b>	<b>23.6</b>			<b>2,444,772</b>	<b>25.0</b>	<b>2,196,011</b>	<b>26.0</b>
General Fund	930,730		965,592				1,167,658		1,039,190	
General Fund Exempt	-		-				-			
Cash Funds	571,501		1,003,372				1,016,889		916,744	
Reappropriated Funds	235,575		225,564				260,225		240,077	
Federal Funds	-		-						-	



### SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>OPERATING EXPENSES</b>										
1930 1930 - Purchased Services - Litigation	57,394		51,944				58,250		58,250	
2170 Waste Disposal Services	-		511				-		-	
2230 Equipment Contract Maintenance	28		78				48		48	
2231 ADP Equip Maint/Repair Services	2,808		2,548				2,160		2,160	
2232 Software Upgrades	8,097		3,407				250		250	
2251 Rental/Lease Motor Pool Veh	4,690		4,774				-		-	
2252 Leased Vehicle - Variable	1,114		1,084				1,500		1,500	
2253 Rental of Equipment	-		-				-		-	
2254 Rental of Motor Vehicles	-		-				-		-	
2255 Rental of Building	65,525		64,148				-		-	
2258 Parking	2,640		2,640				2,640		2,640	
2259 Parking Fee Reimbursement	4		70				-		-	
2510 In State Travel	-		175				50		50	
2511 IS Common Carrier Fares	-		-				-		-	
2512 IS Personal Travel Per Diem	-		268				100		100	
2513 IS Pers Vehicle Reimbursement	109		328				-		-	
2514 IS State Owned Aircraft	-		-				-		-	
2515 State-Owned Vehicle Charge	-		-				-		-	
2520 IS Travel Non Employee	-		149				-		-	
2522 IS Non Employee Per Diem	-		-				-		-	
2530 Out of State Travel	645		2,538				950		950	
2531 OS Common Carrier Fares	2,634		9,868				3,000		3,000	
2532 OS Personal Travel Per Diem	11,763		20,652				12,250		12,250	
2533 OS Pers Vehicle Reimbursement	-		-				-		-	
2610 Advertising	-		-				-		-	
2611 Public Relations	-		-				-		-	
2630 Comm Service Div of Telecom	22,157		14,547				5,450		5,450	
2631 Comm Svcs from Outside Sources	2,441		2,659				7,200		7,200	
2641 Other ADP Billing	17,913		8,560				6,744		6,744	
2650 OIT Purchased Svs	-		-				-		-	
2660 Insurance	3,467		3,691				-		-	
2680 Contract Printing	2,782		14,106				2,625		2,625	
2681 Photocopy Reimbursement	-		-				-		-	
2710 Purchased Medical Services	-		-				-		-	
2810 Freight & Storage	-		-				-		-	
2820 Other Purchased Services	65		-				-		-	
2830 Office Moving-Pur Services	-		-				-		-	
2831 Storage Purchased Svs	48		31				-		-	
3110 Other Supplies and Materials	-		-				-		-	
3112 Automotive Supplies	-		-				-		-	
3113 Clothing and Uniform Allowance	-		-				-		-	

### SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
3114 Custodial	-		-						-	
3115 DP Supplies	187		109				200		200	
3116 Purchased/Leased Software	400		2,053				-		-	
3117 Educational	-		-				-		-	
3118 Food and Food Service Supplies	-		-						-	
3120 Books & Subscriptions	12,251		14,555				12,100		12,100	
3121 Office Supplies	5,230		8,988				7,525		7,525	
3123 Postage	5,115		5,998				5,385		5,385	
3124 Printing/Copy Supplies	467		322						-	
3126 Repair & Maintenance Supplies	-		80						-	
3128 Non-Capitalized Equipment	348		(9)						-	
3131 Noncapitalized Bldg Materials	-		-						-	
3132 Non- Cap Office Furn-Off Systems	110		-						-	
3140 Non-Capitlized IT - PC's	1,163		4,683						-	
3141 Non-Capitalized IT Servers	-		-						-	
3142 Non-Capitalized IT Network			3,465							
3143 Non-Capitalized IT Other	1,954		2,495						-	
3146 Non-Capital. IT Purchsd. Server Software	-		-						-	
3940 Electricity	-		-						-	
3950 Gasoline	-		-						-	
3970 Natural Gas	-		-						-	
4111 Prizes and Awards	2,000		-						-	
4140 Dues & Memberships	7,300		(225)				7,550		7,550	
4151 Interest - Late Payments	-		-						-	
4170 Miscellaneous Fees	-		-						-	
4180 Official Functions	434		80						-	
4220 Registration Fees	5,321		3,334				4,000		4,000	
4221 Other Educational - W2 RPT	-		-						-	
6140 Leasehold Improv - Direct Purch	-		-						-	
6212 IT Servers Direct Purchase	-		277						-	
6216 IT Servers SW Direct Purchase	-		1,401						-	
EBJJ Law to Judicial	-		6,404						-	
<b>Operating Expense Subtotal:</b>	248,604		262,788				139,977		139,977	
<b>OPERATING EXPENSE SUBTOTAL:</b>	248,604		262,788				139,977		139,977	
General Fund	104,657		117,251				67,480		67,480	
General Fund Exempt	-		-				-		0	
Cash Funds	112,964		104,097				51,995		51,995	
Reappropriated Funds	30,983		41,440				20,502		20,502	
<b>Potted Operating Expenses</b>										

### SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Workers' Compensation							4,212			
Vehicle Leased Expense							4,439			
Capital Complex Lease Space							161,023			
Leased Space							-			
IT Asset Maintenance							13,275			
Communication Service Payments							1,394			
ADP Capital Outlay							-			
CLE Registration Fees							4,125			
Building Security							-			
<b>Total</b>							<b>188,468</b>			
General Fund							68,452			
Cash Funds							93,972			
Reappropriated Funds							26,044			
<b>Rollforwards</b>										
Reappropriated Funds										
<b>DECISION ITEM REQUESTS:</b>										
<b>Dec Item - Consumer Intake FTE</b>									<b>2,180</b>	<b>-</b>
General Fund										
Cash Funds									2,180	
Reappropriated Funds										
<b>Dec Item -</b>										
General Fund										
Cash Funds										
Reappropriated Funds										
									-	
General Fund									-	
Cash Funds										
Reappropriated Funds										
<b>TOTAL CONSUMER PROTECTION</b>	<b>1,986,411</b>	<b>19.3</b>	<b>2,457,316</b>	<b>23.6</b>			<b>2,773,217</b>	<b>25.0</b>	<b>2,338,168</b>	<b>26.0</b>
General Fund	<b>1,035,387</b>		<b>1,082,843</b>				<b>1,303,590</b>		<b>1,106,670</b>	
General Fund Exempt	-		-						-	
Cash Funds	<b>684,466</b>		<b>1,107,469</b>				<b>1,162,856</b>		<b>970,919</b>	
Reappropriated Funds	<b>266,558</b>		<b>267,004</b>				<b>306,771</b>		<b>260,579</b>	
<b>RECONCILIATION OF FUNDS</b>										
Long Bill Appropriation	1,815,952	21.0	2,167,295	26.0	2,046,520	25.0	2,046,520	25.0	2,046,520	25.0

### SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

CONSUMER PROTECTION & ANTI-TRUST

Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
FY 15 Decision Item: Consumer Intake FTE									56,123	1.0
PERA Bill SB 11-76	(34,271)				0		-			
Pay date Shift bill for biweekly employees			2,919							
Refinance Tobacco HB 13-1180										
PIO Refinance DI										
Supplemental	-		-							
SB09-192										
Allocated POTS:										
Salary Survey Classified							31,602		31,602	
Salary Survey NonClassified							191,393		191,393	
Performance Pay Classified							11,249		10,913	
Performance Pay NonClassified							2,978		1,617	
Health/Life/Dental	126,607		119,868				159,224			
Short Term Disability	2,406		2,795				4,223			
SB 04.257 A.E.D.	37,793		57,886				70,323			
SB 06.235 S.A.E.D.	30,231		49,606				67,237			
Worker's Compensation	3,468		3,710				4,212			
Vehicle Lease Payments	3,305						4,439			
Capital Complex Lease Space	66,614		64,172				161,023			
Lease Space			-				-			
ADP Capital Outlay			-				-			
Communication Service Payments	1,140		1,647				1,394			
IT Asset Maintenance	12,400		13,275				13,275			
CLE Registration Fees	4,499		4,125				4,125			
Building Security	6,507		7,115				-			
Year-End Transfer							-			
Rollforward from previous FY							-			
Rollforward to subsequent FY										
Overexpenditure/(Reversion) - GF	(42,726)	(1.2)								
Lapsed Appropriation Reappropriated Fund	(4)									
Lapsed Appropriation Cash Fund	(47,510)	(0.6)	(37,097)	(2.4)						
<b>TOTAL RECONCILIATION</b>	1,986,411	19.3	2,457,316	23.6			2,773,217	25.0	2,338,168	
<b>TOTALS</b>	<b>1,986,411</b>	<b>19.3</b>	<b>2,457,316</b>	<b>23.6</b>	<b>2,046,520</b>	<b>25.0</b>	<b>2,773,217</b>	<b>25.0</b>	<b>2,338,168</b>	<b>26.0</b>
General Fund	1,035,387		1,082,843		931,023		1,303,590		1,106,670	
General Fund Exempt	-		-				-		-	
Cash Funds	684,466		1,107,469		874,016		1,162,856		970,919	
Reappropriated Funds	266,558		267,004		241,481		306,771		260,579	

## SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

### Department of Law

### CONSUMER PROTECTION & ANTI-TRUST

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2012	FY 2013	FY 2014	FY 2014	FY 2015
<b>Schedule 3 Total</b>		1,986,411	2,457,316	2,046,520	2,773,217	2,338,168
General Fund		1,035,387	1,082,843	931,023	1,303,590	1,106,670
General Fund Exempt		-	-	-	-	-
Cash Funds		684,466	1,107,469	874,016	1,162,856	970,919
Reappropriated Funds		266,558	267,004	241,481	306,771	260,579
Federal Funds				-	-	-
<b>Cash Funds</b>		684,466	1,107,469	874,016	1,162,856	970,919
Dept of Local Affairs (Manufactured Home Fund)		20,784	20,668	20,668	20,668	20,668
No Call Fund Source		26,550	25,719	25,719	25,719	25,719
146 Custodial Fund		416,840	839,401	717,973	933,118	761,311
Tobacco Litigation Defense Account		140,292	139,026	153,795	183,351	163,221
UCCC Custodial		80,000	82,655			-
<b>Reappropriated Funds</b>		266,558	267,004	241,481	306,771	260,579
Custodial Fund Balance		-	-	-	-	-
Tobacco Litigation Defense Account		-	-	-	-	-
UCCC Custodial		-	-	-	-	-
Division of Real Estate		266,558	267,004	241,481	306,771	260,579



## SCHEDULE 2 - PROGRAM SUMMARY

Department of Law							Consumer Credit Unit			
Item	Actual FY 12		Actual FY 13		Approp FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>CONS. PROTECT. &amp; ANTI-TRUST</b>	1,611,151	17.9	1,836,680	19.2	1,512,150	20.0	2,027,493	20.0	1,616,183	20.0
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Fund	1,611,151		1,836,680		1,512,150		2,027,493		1,616,183	
Reappropriated Funds	-		-		-		-		-	
Federal Funds										

### SCHEDULE 3 - PERSONAL SERVICES PROGRAM DETAIL

Department of Law						Consumer Credit Unit				
Item	Actual FY 12		Actual FY 13		Approp FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
I. POSITION DETAIL										
First Assistant Attorney General	119,952	1.0	87,665	0.8			123,420	1.0	123,420	1.0
Senior Assistant Attorney General	164,045	2.0	164,045	2.0			193,572	2.0	193,572	2.0
Assistant Attorney General			53,961	0.7			87,240	1.0	87,240	1.0
Financial Credit Examiner IV	89,640	1.0	89,640	1.0			93,348	1.0	93,348	1.0
Financial Credit Examiner III	89,244	1.0	109,771	1.4			153,288	2.0	153,288	2.0
Financial Credit Examiner II	352,788	5.6	257,414	4.1			187,428	3.0	187,428	3.0
Financial Credit Examiner I	13,227	0.3	60,170	1.1			110,820	2.0	110,820	2.0
Compl Investigator I	102,072	2.0	109,188	2.0			113,148	2.0	113,148	2.0
Legal Assistant II	50,150	1.0	49,044	1.0			57,528	1.0	57,528	1.0
Legal Assistant I			34,261	0.7			49,356	1.0	49,356	1.0
Admin Asst II	39,720	1.0	57,790	1.5			40,596	1.0	40,596	1.0
Program Assistant I	146,196	3.0	150,612	3.0			153,624	3.0	153,624	3.0
TOTAL POSITION DETAIL	1,167,034	17.9	1,223,561	19.2			1,363,368	20.0	1,363,368	20.0



### SCHEDULE 3 - PROGRAM DETAIL

Department of Law						Consumer Credit Unit				
Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>(I.A.) CONTINUATION FTE SALARY COST</b>	1,167,034	17.9	1,223,561	19.2			1,363,368	20.0	1,363,368	20.0
(Permanent FTE by position)										
Continuation Salary Subtotal										
<b>(I.B.) OTHER PERSONAL SERVICES</b>										
PERA on Continuation Subtotal	85,715		120,973				138,382		138,382	
Medicare on Continuation Subtotal	14,507		16,116				19,769		19,769	
Non-Base building Performance Awards							-		-	
Part-Time/Temporary Salaries	0		-				-		-	
Contractual Services	7,629		17,182				29,154			
Overtime Pay	513		-							
Board Member Compensation	400		-							
Sick Leave Conversion										
Termination/Retirement Payouts	3,038		64,848							
Employment Security Payments	0		-							
Furlough Days	0		-							
Other Employee Benefits	3666		3,360				3,500		3,500	
Other										
Special Bills										
<b>SUBTOTAL</b>	115,469		222,480				190,805		161,651	
<b>(I.C.) PERSONAL SERVICE</b>										
<b>SUBTOTAL= A+B</b>	1,282,502	17.9	1,446,040	19.2			1,554,173	20.0	1,525,019	20.0
<b>(I.D.) POTS EXPENDITURES</b>										
Health/Life/Dental	114,690		135,201				139,746			
Salary Act/Merit							-			
Performance Awards							-			
Short Term Disability	2,065		2,092				2,590			
SB 04.257 A.E.D.	31,363		38,118				49,081			
SB 06.235 S.A.E.D.	25,198		32,749				44,309			
Other										
[ ] Indicates a Non-add										
<b>(I.E.) BASE PERSONAL SERVICES</b>	1,455,819	17.9	1,654,201	19.2			1,745,590	20.0	1,525,019	20.0
<b>TOTAL = C+D</b>										
General Fund							-		-	
General Funds Exempt										
Cash Funds							1,745,590		1,525,019	
Reappropriated Funds							-		-	
<b>(I.F.) DIFFERENCE= II-I.E.</b>							-		-	
<b>(I.G.) REQUEST YEAR DECISION ITEMS</b>										
General Fund										

### SCHEDULE 3 - PROGRAM DETAIL

Department of Law										Consumer Credit Unit
Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
Cash Funds										
Reappropriated Funds										
<b>II. PERSONAL SERVICES REQUEST TOTAL</b>	<b>1,455,819</b>	<b>17.9</b>	<b>1,654,201</b>	<b>19.2</b>			<b>1,745,590</b>	<b>20.0</b>	<b>1,525,019</b>	<b>20.0</b>
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	1,455,819		1,654,201				1,745,590		1,525,019	
Reappropriated Funds	-		-				-		-	
Federal Funds	-		-				-		-	

### SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>OPERATING EXPENSES</b>										
1930 1930 - Purchased Services - Litigation	8,325		23,337				22,519		20,552	
2170 Waste Disposal Services	-		215				-		-	
2230 Equipment Contract Maintenance	62		169				83		83	
2231 ADP Equip Maint/Repair Services	3,004		3,521				-		-	
2232 Software Upgrades	11,477		7,395				-		-	
2251 Rental/Lease Motor Pool Veh	10,742		10,201							
2252 Leased Vehicle - Variable	9,737		7,023				10,250		10,250	
2253 Rental of Equipment	-		-				-		-	
2254 Rental of Motor Vehicles	-		50				118		118	
2255 Rental of Building	59,974		57,625				-		-	
2258 Parking	-		-				-		-	
2259 Parking Fee Reimbursement	11		13				-		-	
2510 In State Travel	-		10				-		-	
2511 IS Common Carrier Fares	-		-				-		-	
2512 IS Personal Travel Per Diem	2,403		1,287				2,512		2,512	
2513 IS Pers Vehicle Reimbursement	1,441		1,461				1,130		1,130	
2514 IS State Owned Aircraft	-		-				-		-	
2515 State-Owned Vehicle Charge	-		-				-		-	
2520 IS Travel Non Employee	84		-				85		85	
2522 IS Non Employee Per Diem	39		-				45		45	
2523 IS Non Employee Personal Vehicle Reimb	395		-				420		420	
2530 Out of State Travel	56		535				2,856		2,856	
2531 OS Common Carrier Fares	-		2,416				4,200		4,200	
2532 OS Personal Travel Per Diem	869		1,645				2,415		2,415	
2533 OS Pers Vehicle Reimbursement	-		-				-		-	
2610 Advertising	-		-				-		-	
2611 Public Relations	-		-				-		-	
2630 Comm Service Div of Telecom	10,016		5,517				11,520		11,520	
2631 Comm Svcs from Outside Sources	1,024		795				1,984		1,984	
2641 Other ADP Billing	5,211		1,198				5,474		5,474	
2650 OIT Purchased Services	-		-							
2660 Insurance	2,972		3,164				-		-	
2680 Contract Printing	1,749		10,684				7,854		7,854	
2681 Photocopy Reimbursement	-		-				-		-	
2710 Purchased Medical Services	-		-				-		-	

### SCHEDULE 3 - OPERATING PROGRAM DETAIL

**Department of Law**

**Consumer Credit Unit**

Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
2810 Freight & Storage	-		-						-	
2820 Other Purchased Services	10		10				25		25	
2830 Office Moving-Pur Services	-		-				-		-	
2831 Storage Purch Svs	104		67							
3110 Other Supplies and Materials	-		-				-		-	
3112 Automotive Supplies	-		-				-		-	
3113 Clothing and Uniform Allowance	-		-				-		-	
3114 Custodial	-		-				-		-	
3115 DP Supplies	73		74				450		450	
3116 Purchased/Leased Software	146		441				115		115	
3117 Educational	-		-				-		-	
3118 Food and Food Service Supplies	-		-				-		-	
3120 Books & Subscriptions	1,905		7,083				2,050		2,050	
3121 Office Supplies	3,020		4,867				4,020		4,020	
3123 Postage	7,904		6,571				7,582		7,582	
3124 Printing/Copy Supplies	148		404							
3128 Non-Capitalized Equipment	-		2,015				-		-	
3131 Noncapitalized Bldg Materials	-		-				-		-	
3132 Non- Cap Office Furn-Off Systems	-		-				-		-	
3140 Non-Capitlized IT - PC's	2,543		3,421				-		-	
3141 Non-Capitalized IT Servers	-		-				-		-	
3142 Non-Capitalized IT Network			59							
3143 Non-Capitalized IT Other	2,413		1,622				-		-	
3146 Non-Capital. IT Purchsd. Server Software	-		-				-		-	
3940 Electricity	-		-				-		-	
3950 Gasoline	-		-				-		-	
3970 Natural Gas	-		-				-		-	
4111 Prizes and Awards	-		-				-		-	
4140 Dues & Memberships	5,933		847				4,500		4,500	
4151 Interest - Late Payments	-		-				-		-	
4170 Miscellaneous Fees	-		-				-		-	
4180 Official Functions	666		356				700		700	
4220 Registration Fees	874		422				225		225	
4221 Other Educational - W2 RPT	-		-				-		-	
6140 Leasehold Improv - Direct Purch	-		-				-		-	
6210 ADP Equipment	-		-				-		-	
6212 IT Servers Direct Purchase	-		601				-		-	
6214 IT Other- Direct Purchase	-		12,164				-		-	

### SCHEDULE 3 - OPERATING PROGRAM DETAIL

Department of Law

Consumer Credit Unit

Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
6216 IT Server SW Direct Purchase			904							
ABJE Law to Judicial			2,287							
Forced Savings										
<b>Operating Expense Subtotal:</b>	155,332		182,479				93,132		91,164	
<b>OPERATING EXPENSE SUBTOTAL:</b>	155,332		182,479				93,132		91,164	
General Fund							0		0	
General Fund Exempt	-		-				-		0	
Cash Funds	155,332		182,479				93,132		91,164	
Reappropriated Funds							0		0	
<b>Potted Operating Expenses</b>										
Workers' Compensation							3,406			
Vehicle Leased Expense							8,314			
Capital Complex Lease Space							139,324			
Leased Space							3,052			
IT Asset Maintenance							28,813			
Communication Service Payments							-			
ALJ							4,362			
CLE Registration Fees							1,500			
Building Security							-			
<b>Total</b>							<b>188,771</b>			
General Fund							-			
Cash Funds							188,771			
Reappropriated Funds							-			
<b>DECISION ITEM REQUESTS</b>										
General Fund									-	
Cash Funds									-	
Reappropriated Funds									-	
General Fund									-	
Cash Funds									-	
Reappropriated Funds										

### SCHEDULE 3 - OPERATING PROGRAM DETAIL

#### Department of Law

#### Consumer Credit Unit

Item	Actual FY 12		Actual FY 13		Estimate FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>TOTAL CONSUMER PROTECTION</b>	<b>1,611,151</b>	<b>17.9</b>	<b>1,836,680</b>	<b>19.2</b>			<b>2,027,493</b>	<b>20.0</b>	<b>1,616,183</b>	<b>20.0</b>
General Fund	-		-				-		-	
General Fund Exempt	-		-				-		-	
Cash Funds	<b>1,611,151</b>		<b>1,836,680</b>				<b>2,027,493</b>		<b>1,616,183</b>	
Reappropriated Funds	-		-				-		-	
 <b>RECONCILIATION OF FUNDS</b>										
Long Bill Appropriation	1,359,706	18.0	1,521,916	20.0	1,512,150	20.0	1,512,150	20.0	1,512,150	20.0
PERA Adjustment back to 10.15%									-	
PERA SB 11-76 @ 7.65%	(28,499)						-			
<i>Supplemental</i>										
<i>Annualization of FY 13 DI</i>										
Salary Survey Classified							24,916		24,916	
Salary Survey NonClassified							66,153		66,153	
Perf Pay Classified							10,092		10,092	
Perf Pay Non Classified							4,770		2,872	
Health/Life/Dental	101,846		127,731				123,730			
Short Term Disability	1,946		1,783				2,583			
SB 04.257 A.E.D.	30,780		37,440				48,948			
SB 06.235 S.A.E.D.	24,733		32,176				45,380			
Worker's Compensation	2,972		3,177				3,406			
Vehicle Lease Payments	11,748		10,677				8,314			
Capital Complex Lease Space	79,302		65,004				139,324			
Lease Space	2,880		3,052				3,052			
ALJ			1,135				4,362			
IT Asset Maintenance	27,123		28,813				28,813			
CLE Registration Fees	1,875		1,500				1,500			
Building Security	5,577		6,099							
Year-End Transfer										
Rollforward from previous FY							-			
Overexpenditure/(Reversion) - GF										
Lapsed Appropriation Reappropriated Fund										
Lapsed Appropriation Cash Fund	(10,838)	(0.1)	(3,823)	(0.8)						
<b>TOTAL RECONCILIATION</b>	<b>1,611,151</b>	<b>17.9</b>	<b>1,836,680</b>	<b>19.2</b>			<b>2,027,493</b>	<b>20.0</b>	<b>1,616,183</b>	
 <b>TOTALS</b>	<b>1,611,151</b>	<b>17.9</b>	<b>1,836,680</b>	<b>19.2</b>	<b>1,512,150</b>	<b>20.0</b>	<b>2,027,493</b>	<b>20.0</b>	<b>1,616,183</b>	<b>20.0</b>
General Fund	-		-		-		-		-	
General Fund Exempt	-		-		-		-		-	
Cash Funds	<b>1,611,151</b>		<b>1,836,680</b>		<b>1,512,150</b>		<b>2,027,493</b>		<b>1,616,183</b>	
Reappropriated Funds	-		-		-		-		-	

## SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

### Department of Law

### Consumer Credit Unit

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2012	FY 2013	FY 2014	FY 2014	FY 2015
<b>Schedule 3 Total</b>		1,611,151	1,836,680	1,512,150	2,027,493	1,616,183
General Fund		-	-	-	-	-
General Fund Exempt		-	-	-	-	-
Cash Funds		1,611,151	1,836,680	1,512,150	2,027,493	1,616,183
Reappropriated Funds		-	-	-	-	-
Federal Funds		-	-	-	-	-
<b>Cash Funds</b>		1,611,151	1,836,680	1,512,150	2,027,493	1,616,183
Collection Agency Cash Fund		417,724	447,294	373,428	509,178	401,291
UCCC Cash Fund		1,193,427	1,389,386	1,138,722	1,518,315	1,214,892





## SCHEDULE 2 - PROGRAM SUMMARY

### Department of Law

### INDIRECT COST ASSESSMENT - CONSUMER PROTECTION

Item	Actual FY 12		Actual FY 13		Approp FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>INDIRECT COST ASSESSMENT</b>	334,907		471,352		467,308		467,308	-	473,671	-
General Fund Exempt										
General Fund										
Cash Funds	297,695		434,140		427,253		427,253		433,071	
Reappropriated Funds	37,212		37,212		40,055		40,055		40,600	

## SCHEDULE 3 - PROGRAM DETAIL

### Department of Law

### INDIRECT COST ASSESSMENT - CONSUMER PROTECTION

Item	Actual FY 12		Actual FY 13		Approp FY 14		Estimate FY 14		Request FY 15	
	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE	Total Funds	FTE
<b>INDIRECT COST ASSESSMENT</b>	334,907		471,352		467,308		467,308		473,671	
Cash Funds	297,695		434,140		427,253		427,253		433,071	
Reappropriated Funds	37,212		37,212		40,055		40,055		40,600	
<b>INDIRECT COST ASSESSMENT</b>	<b>334,907</b>		<b>471,352</b>		<b>467,308</b>		<b>467,308</b>		<b>473,671</b>	
Cash Funds	<b>297,695</b>		<b>434,140</b>		<b>427,253</b>		<b>427,253</b>		<b>433,071</b>	
Reappropriated Funds	<b>37,212</b>		<b>37,212</b>		<b>40,055</b>		<b>40,055</b>		<b>40,600</b>	
<b>RECONCILIATION OF FUNDS</b>										
Long Bill Appropriation	334,907		471,352				467,308			
Supplemental Appropriation										
Lapsed Spending Authority CF	(17,510)		-							
<b>TOTAL RECONCILIATION</b>	<b>317,397</b>		<b>471,352</b>				<b>467,308</b>			

## SCHEDULE 4 - SOURCE OF FINANCING - DIRECT REVENUES

### Department of Law

### INDIRECT COST ASSESSMENT - CONSUMER PROTECTION

Item	Fund Number	Actual	Actual	Approp	Estimate	Request
		FY 2012	FY 2013	FY 2014	FY 2014	FY 2015
<b>Schedule 3 Total</b>		334,907	471,352	467,308	467,308	473,671
General Funds						
General Funds Exempt						
Cash Funds		297,695	434,140	427,253	427,253	433,071
Reappropriated Funds		37,212	37,212	40,055	40,055	40,600
<b>Cash Funds</b>		<b>297,695</b>	<b>434,140</b>	<b>427,153</b>	<b>427,153</b>	<b>433,071</b>
146 Department Custodials Funds		49,615	161,252	160,119	160,119	162,402
DOLA-Manuf Housing Fund		-	-		-	-
No-Call Fund					-	-
Tobacco Litigation Defense Fund		12,404	12,404		-	-
Collection Agency Board Fund		68,222	68,222	77,440	77,440	78,494
UCCC Custodial Fund		12,404	12,404	-	-	-
Uniform Consumer Credit Code fund		155,050	179,858	189,594	189,594	192,175
<b>Reappropriated Funds</b>		<b>37,212</b>	<b>37,212</b>	<b>40,055</b>	<b>40,055</b>	<b>40,600</b>
Department Custodials Funds		-	-			
Collection Agency Board Fund		-	-			
Tobacco Litigation Defense Fund		-	-			
UCCC Custodial Fund		-	-			
UCCC Fund Balance		-	-			
Division of Real Estate Cash Fund		37,212	37,212	40,055	40,055	40,600
<b>Federal Funds</b>						